



QUESTIONS FOR FREEDOM OF INFORMATION COMMISSION NOMINEE

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FREEDOM OF INFORMATION COMMISSION ([CGS §§ 1-205 AND 1-205a](#))

- The Freedom of Information Commission (FOIC) is located within the Office of Government Accountability (OGA) and consists of nine members. The governor appoints five members who serve four-year, staggered terms. The Senate president, House speaker, Senate minority leader, and House minority leader each appoint one member who serves a two-year term. No more than five members may be from the same political party. Either chamber of the General Assembly confirms.
- The commission staff is composed of (1) an executive director and general counsel, (2) a managing director and associate general counsel, and (3) other staff as the executive director deems necessary.
- The commission reviews complaints of Freedom of Information Act (FOIA) violations and ensures that the public has access to government records and notice of public meetings.
- It can investigate allegations and, among other things, hold hearings, administer oaths, examine witnesses, receive oral and documentary evidence, and subpoena witnesses.
- The commission must conduct annual training sessions, together with the Department of Administrative Services, to educate state employees about FOIA.

QUESTIONS

1. [PA 11-48](#) established OGA to provide consolidated personnel, payroll, affirmative action, administrative, and business office ("back office") functions for nine independent state agencies, including FOIC. What are your thoughts on the consolidation? Has it accomplished its goals?
2. Prior to the consolidation, FOIC and some of the other agencies (now considered OGA divisions) expressed concern about losing their independence. Have the divisions retained an appropriate level of independence? If so, how?
3. About how many complaints does the commission receive in a year? How can the commission's standard procedure for hearing complaints be improved?
4. What do you see as the most important short- and long-term goals for the commission?
5. Under FOIA, public agencies cannot charge a requestor for the time spent searching for and retrieving public records. In light of this, how can agencies reduce their search and retrieval costs, particularly for voluminous records requests?
6. How can frivolous or abusive FOIA requests be addressed without restricting access to public records for everyone else?
7. Public records often include information provided by private citizens, whether voluntarily or involuntarily. Do you believe that FOIA requires too much disclosure of information concerning private citizens, or does it strike the right balance between their privacy and the public's right to know? Please explain further.
8. The Task Force on Victim Privacy and the Public's Right to Know recommended that certain images and audio recordings relating to homicide victims be exempt from disclosure under FOIA if disclosure would constitute an unwarranted invasion of personal privacy. Do you agree with this recommendation? Please explain.
9. The task force also recommended that any person should be allowed to inspect or listen to (but not copy) these images and recordings. What are your thoughts on this recommendation?
10. There are dozens of FOIA exemptions throughout the general statutes. Generally speaking, are these exemptions appropriate? Should any of them be repealed?

11. FOIA was enacted in 1975. Does it sufficiently address the continued growth of e-government and electronic records? What changes, if any, would you recommend to FOIA to address emerging technologies?
12. How does FOIA address the privatization of government services? For instance, if a private entity enters into a contract (e.g., a marketing agreement) on behalf of a public agency, is that contract subject to disclosure under FOIA?

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